

1 MINUTES

2
3 The State Board of Elections Board Meeting was held on Monday, November 21,
4 2016. The meeting was held in the General Assembly Building, Richmond, Virginia –
5 Room C. In attendance, representing the State Board of Elections (SBE) was James
6 Alcorn, Chairman; Clara Belle Wheeler, Vice Chair; and Singleton McAllister, Secretary.
7 Also in attendance, representing the Department of Elections (ELECT) was Edgardo
8 Cortés, Commissioner; Elizabeth Howard; Deputy Commissioner, and Rose Mansfield,
9 Clerk. Heather Hays Lockerman; Senior Assistant Attorney General, and Anna
10 Birkenheier, Assistant Attorney General and Counsel to SBE and ELECT attended.
11 Chairman Alcorn called the meeting to order at 10:10AM.

12 The first order of business was the approval of the minutes from the State Board
13 of Elections Board Meetings held on June 28, 2016, August 30, 2016, October 4, 2016
14 and November 8, 2016. Chairman Alcorn asked if board members had any additions or
15 corrections to the Board Meeting minutes as presented. Chairman Alcorn noted a change
16 to the October 4, 2016 minutes and notified the Clerk. Vice Chair Wheeler moved *to*
17 *adopt the minutes for the June 28, 2016, August 30, 2016, and November 8, 2016*
18 *meetings as amended and or presented.* Secretary McAllister seconded the motion. The
19 Board unanimously approved the motion.

20 The next order of business was the Commissioner Report presented by Edgardo
21 Cortés, ELECT Commissioner. Commissioner Cortés stated that the November 8, 2016 –
22 General Election, from the election administration perspective, was successfully
23 executed. Commissioner Cortés stated that only two of the 2,400 polling locations
24 opened late (6:15AM) and voting was complete across the Commonwealth by 8:15PM.
25 Commissioner Cortés stated that voters had a positive experience which reflects on the
26 commitment of the localities. Commissioner Cortés stated that that there was record
27 setting voter registration activity and the Commonwealth now has 5.6million voters with
28 over 3.9million votes cast and of those over 615thousand eligible voters requested
29 absentee ballots breaking all previous records. Commissioner Cortés stated that the call
30 center handled over 36thousand calls prior to the election. Commissioner Cortés stated
31 that over 75percent of the voter transactions were completed electronically compared to

the non-availability of the electronic programs in the previous presidential election. Commissioner Cortés stated that the social media outreach program was expanded and the traffic generated by this effort was significantly increased and extremely successful. Commissioner Cortés stated that Facebook live was utilized to stream the Election Day briefings. Commissioner Cortés thanked the general registrars, electoral board members, and volunteers for their hard work in preparation for Election Day and their dedication to the process. Commissioner Cortés thanked the local, state, and federal entities for their support, dedication, and assistance on Election Day.

The next order of business was the Certification of the November 8, 2016 General Election presented by Reiko Doğu, Senior Elections Administrator. Ms. Doğu stated that in preparation for the State Board of Elections meeting staff members at the ELECT completed a number of verification procedures to ensure that all relevant election data entered into the Virginia Election and Registration System (VERIS) by the localities appear to accurately reflect what happened on Election Day (§ 24.2-679). ELECT staff verify that voter turnout and provisional voter turnout values had been entered for each precinct. ELECT staff verify that a locality's abstract vote totals for each candidate match the election results entered into VERIS. ELECT staff ran several VERIS election results error check reports to verify the apparent accuracy of the local data entered. Ms. Doğu stated that copies of each locality's abstract of votes for each office being certified by the State Board are available for inspection. ELECT staff also prepared a written statement document for the Board Members to sign once the abstract totals have been read and confirmed to be accurately reflected on the written statement. ELECT staff also prepared certificates of elections for those apparent winners for board members signatures.

SBE members reviewed the documents and signed the certificates of elections. Chairman Alcorn moved *that after reviewing the Abstracts of Votes Cast in the 2016 November General Election, I move that the Board certify the statements to be correct and sign the statements of certificates of election*. Secretary McAllister seconded the motion and without public comment the Board unanimously approved the motion.

The next order of business was Electronic Pollbook Certification presented by Paul Stenbjorn, Director of Elections Administrator. Mr. Stenbjorn reviewed the process of testing the system for certification and noted that in September 2015, the Board voted

63 to revise the certification process to include security certification in which the Virginia
64 Information Technologies Agency (VITA) evaluates all EPB solutions and subjects the
65 solutions to an end-to-end security analysis and penetration test as part of the certification
66 process. Mr. Stenbjorn stated that SBE electronic pollbook certification guidelines
67 require that all electronic pollbooks are tested in a pilot election prior to final certification
68 and the system was piloted in a general election in New Kent County on November 8,
69 2016. Mr. Stenbjorn stated that all the associated reports are included in the Boards'
70 working papers. Mr. Stenbjorn asked if there were any question.

71 Vice Chair Wheeler asked what alterations were made to this system and that it
72 was her understanding that this system went to Chesterfield County in June, 2016 and
73 failed, and the general registrar stated that a lot needed to be done, and requested the
74 details on the occurrences of change between June and November, 2016. Mr. Stenbjorn
75 stated that ELECT had been in consultation with the general registrar, and has engaged
76 an external entity that specializes in the stability of systems, and they reviewed our
77 software, and provided ELECT with suggestions of usability (font's sizes and screen
78 changeability) and ELECT sent those suggestions to the general registrar, and he
79 indicated that he is satisfied with the solution. Mr. Stenbjorn noted that the system was
80 tested post changes in New Kent on this recent Election Day. Vice Chair Wheeler
81 requested that Chesterfield County report on their opinion of the system. Mr. Stenbjorn
82 stated that the certification requirements allow for testing in one locality, which was New
83 Kent County and the results of the testing, were favorable. Vice Chair Wheeler stated
84 that she wanted a locality who currently utilizes EPB's to do the testing. Commissioner
85 Cortés stated that this is not a requirement of the certification process.

86 Chairman Alcorn stated that if Chesterfield County suggested that there were
87 substantial usability issues he would like those findings presented to the Board. Mr.
88 Stenbjorn stated that the certification standards do not address usability, although
89 addresses metrics. Mr. Stenbjorn stated that the system as presented has met the standards
90 outlined by SBE and has satisfied all accuracy requirements. Mr. Stenbjorn stated that the
91 officers of elections in New Kent County, while new to the EPB's, expressed no
92 difficulties in utilizing the system. Vice Chair Wheeler re-stated that she would like to
93 hear from other localities and because of the post-election timing of this ELECT request

94 she would like to table the action. Secretary McAllister asked about the down side for
95 postponing the approval of the in-house EPB solution. Commissioner Cortés stated that
96 input from multiple localities is not a requirement of the certification process and because
97 this system was developed in-house the contract on the existing system is nearing
98 expiration. The localities will have to decide on how to handle the issue; either by
99 renewing the contract, awaiting the certification of the system, and or to utilize paper
100 pollbooks.

101 Chairman Alcorn inquired about the cost to ELECT for development in-house
102 with consideration given to the discussions of budget cuts. Commissioner Cortés stated
103 that the licensing of the EPB's solutions from outside vendors alone is not a cost that
104 ELECT can continue to absorb. Commissioner Cortés stated that the staff time to
105 provide updates and refreshes is substantially less than vendor charges. Chairman Alcorn
106 asked for the cost of in-house development and maintenance and questioned if this is a
107 core function of SBE? Commissioner Cortés stated that the use of vendors and the
108 associated costs cannot be absorbed by ELECT and we will have to discontinue the
109 licensing resulting in localities reverting back to paper pollbooks. Mr. Stenbjorn noted
110 that this system is the outgrowth of VERIS and that information is managed by ELECT.
111 Vice Chair Wheeler stated that she had been informed that vendor licensing was
112 30dollars for each pollbook at the local level and asked if the cost had been calculated for
113 the development in-house. Mr. Stenbjorn stated that the costs are difficult to calculate as
114 they are intertwined with other programs. Vice Chair Wheeler questioned if having
115 numerous systems funneled through VERIS is a wise business decision considering the
116 issues expressed by the general registrars with VERIS; although technical issues were
117 corrected. Commissioner Cortés stated that any system would pull data from VERIS.

118 Chairman Alcorn asked about the security standards of the EPB's. Mr. Stenbjorn
119 stated that some of the details are not included in the public documents due to their
120 apparent nature and the need to protect election data. Chairman Alcorn requested that
121 SBE receive the security report. Mr. Davis, ELECT CIO, stated that the localities will
122 have special elections in the very near future and will be required to utilize the state
123 procurement system to purchase software or will have to switch to paper pollbooks. Mr.
124 Davis stated the resources required to administer the system at ELECT are integrated

125 with other functions that ELECT is currently producing. Mr. Davis noted that EPB's are
126 extremely functional compared to the use of paper pollbooks and for those localities that
127 do not have the financial resources to purchase from vendors the in-house solution is a
128 feasible solution. Chairman Alcorn asked if there were additional board members
129 questions and there were none. Chairman Alcorn moved *that the electronic pollbook*
130 *certification agenda item be tabled*. Vice Chair Wheeler seconded the motion. The Board
131 unanimously approved the motion.

132 Chairman Alcorn outlined the Board requests for actions from ELECT as; (i) SBE
133 is to be provided with the security report from VITA, and (ii) if concerns were raised
134 from a locality (Chesterfield County) SBE should be informed of those concerns and
135 notified if those concerns were addressed (letter is acceptable communication).

136 Chairman Alcorn asked if there were additional board comments. Vice Chair
137 Wheeler stated that the GREB Workgroup compiled a list of electoral board duties and
138 asked Robin Lind, Secretary of the Goochland County Electoral Board and GREB
139 Workgroup Member to present to the Board. Mr. Lind approached the podium.

140 Mr. Lind stated that local boards select their new electoral board members around
141 the first of the year. The job description of the electoral board member will be
142 incorporated in the form submitted to the local judicial authority. This is to ensure that
143 nominees have an understanding of the obligation of serving on a local electoral board.
144 Mr. Lind asked that SBE adopt the job description language as presented. Chairman
145 Alcorn asked to have the job description added to the next meeting. Chairman Alcorn
146 asked if there were any public comments. Gary Fox, PrintElect Customer Service
147 Manager approached the podium.

148 Mr. Fox asked that the report become public information from the locality
149 regarding the EPB certification concerns. Chairman Alcorn stated that this report and all
150 information contained would become public information. Chairman Alcorn asked if there
151 were any public comments and there were none.

152 Chairman Alcorn moved *that the Board adjourn*. Secretary McAllister seconded
153 the motion and without further comment the Board voted unanimously to adjourn.

154 The meeting was adjourned at approximately 12:25PM. The Board shall
155 reconvene on December 19, 2016 at 12:00PM, Virginia State Capitol-Senate Chambers
156 Richmond, Virginia.

157
158
159 _____
160 Secretary

161
162 _____
163 Chair

164
165 _____
166 Vice Chair
167
168